

**Rhode Island Department of Education
Office for Diverse Learners
DESK AUDIT
Chapter 16-54/Title III District Monitoring Checklist for 2009-2010**

DATE OF REPORT	TELEPHONE
SCHOOL DISTRICT	FAX
ELL ADMINISTRATOR	EMAIL

REQUIREMENTS TO BE REVIEWED	COMPLETED SINCE 2008 DESK AUDIT	NOT IN PLACE	NEED TA
A. IDENTIFICATION OF ENGLISH LANGUAGE LEARNERS NCLB-Title III, RI Ch. 16-54, L4-3 & 4; Title VI of Civil Rights Act of 1964; OCR 1970 Memorandum			
1. The district has a comprehensive procedure for identification and screening of ELLs at all levels that includes the following:			
• Home Language Survey			
• Background interview with student and parents			
• Screening assessment (W-APT)			
• Review of appropriate data from student's previous school experiences			
• Native language reading assessment when possible			
• English reading assessment for students scoring at developing, expanding, or bridging level on the W-APT			
B. STUDENT ASSESSMENT NCLB-Title III Sections 3113 & 3116; RI Ch. 16-54, L4-13, L4-14, L4-9B, L4-16, L4-2(9), L4-17			
1. All English Language Learners are evaluated at least once a year through the state's English-language proficiency test, ACCESS for English Language Learners, even if waived from program services			
2. ELL students participate in the State Assessment Program in accordance with state assessment policies			
3. When a student fails to progress appropriately within the ELL program, other assessment procedures are used to determine the reason for the lack of progress; appropriate instructional interventions are provided			
4. Same policy for reporting ELL progress as for all other students;			
5. Progress reports are in English and in the home/native language of the student;			
6. Progress reports include an explanation of the school's grading system in the home/native language of the parents unless documentation is on file demonstrating to RIDE that this requirement would place an unreasonable burden on the school district.			

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7. ACCESS assessment continues until the student attains proficiency in English.			
8. Student assessment for program exit shall include: <ul style="list-style-type: none"> level of proficiency on the state's English-language proficiency test 			
<ul style="list-style-type: none"> grade level achievement on the NECAP reading assessment, and 			
<ul style="list-style-type: none"> readiness for placement in the general education program based on a review of the student's work and on teacher recommendations. 			
9. A person who has been WIDA certified administers prescribed ELL assessment tools. This person has knowledge concerning the ways English Language Learners acquire English as a second language			
10. ACCESS results are maintained in the student's permanent record.			
C. PARENTS' RIGHTS/NOTICES TO PARENTS NCLB-Title III, Section 3202; RI Ch. 16-54, L4-15, L4-16 b-c, L4-22F, L4-6B8-9, L4-23			
1. Parents are informed in writing <ul style="list-style-type: none"> of student participation in ELL program services not later than 30 days after the beginning of the school year on an annual basis as outlined in Title III Sec. 3302 (a) 	(NEW: IN PLACE)		
<ul style="list-style-type: none"> that even though ELL program services are waived, the student will still be considered an English Language Learner who must be assessed on the state's annual English Language Proficiency assessment. 			
<ul style="list-style-type: none"> concerning any significant change in a student's program or services 			
<ul style="list-style-type: none"> When placing students in ELL services: <ul style="list-style-type: none"> The district provides a student's parent/s with a complete description and rationale of the student's placement. 			
<ul style="list-style-type: none"> Parents are informed of the date of their child's placement and of their right to approve or waive the proposed placement. 			
<ul style="list-style-type: none"> If the parents choose to waive the child's ELL program placement, the district assesses the English Language Proficiency of the student on the annual ELP assessment and conducts a six month monitoring of the student's academic progress without benefit of participation in the ELL program. 			
<ul style="list-style-type: none"> Parents are notified of the results of both the ELP assessment and monitoring so that the placement decision might be reviewed. 			
<ul style="list-style-type: none"> When exiting students from ELL services: <ul style="list-style-type: none"> Written notification of proposed exit decisions are sent to the parent along with a description of the rationale for exit and a description of the student's new program. 			
<ul style="list-style-type: none"> Notification is in English and in the home/native language of the parent, unless it can be demonstrated to RIDE that this requirement would place an unreasonable burden on the district. 			
<ul style="list-style-type: none"> A record of this notification is maintained in the student's permanent record. 			
<ul style="list-style-type: none"> Parents are informed of their right to appeal the district's decision to exit their child from the school's English Language Learner program in accordance with L-4-23 [Procedural safeguards]. 			

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2. Notification to parents is in English and the home/native language of the parents, or documentation is on file demonstrating to RIDE that this requirement places an unreasonable burden on the district of their right to decline to have their child participate in English Language Learner programs and to remove their child from English Language Learner programs. (20 U.S.C. 7012 (a)(7))			
3. Parents are informed of their right to appeal any ELL decision affecting their child through the appeals process established by R.I.G.L. 16-39-1 and R.I.G.L. 16-39-2 .			

D. PLACEMENT STANDARDS OCR Title VI; OCR 1970 Memorandum; Lau v. Nichols (1974); Castaneda v. Pickard (1981); RI Ch. 16-54, L 4-6

1. When an identified English Language Learner is placed in an ELL instructional program, the ELL Administrator and/or the Coordinator reviews all the student's identification and assessment data including:			
● the student's English-proficiency level			
● the student's literacy level in her or his native language or languages			
● number of years the student has attended school			
● continuity of the student's schooling			
● student retention-information			
● information on whether the student is receiving special education, whether the student may be in need of special education, or whether the student has a disability that affects his or her academic performance or limits his or her access to school facilities.			
2. An English Language Learner is placed in the appropriate grade for his or her age, except when the learner's educational background indicates a need for an alternative placement as a result of limited formal schooling.			
3. Students are not placed more than one grade level below that appropriate to their ages except as provided for above.			
4. At the secondary level, districts review the English Language Learner's previous educational records to ensure that the student receives appropriate credit for prior course-work.			
5. The placement decision allows the English Language Learner to participate in other programs and services for which he or she is eligible or entitled to (e.g., special education, targeted interventions, gifted programs) so as to ensure that the student's educational needs are met on a basis equal to that provided to other students.			
6. Placement of English Language Learners in a specialized instructional program for English Language Learners is made within twenty (20) school days of the completion of the Home Language Survey. See also: Section L-4-3 (d) [English Language Learners entitled to immediate tentative placement.]			
7. All student assessment and placement data, including questions of exceptionality, are sent to the appropriate district administrator and recorded in the student's permanent record.			
8. For ELLs whose parents waive the child's ELL program placement, the district provides instruction that overcomes language barriers in order to ensure equal access as required under Lau vs. Nichols (1974) and OCR Title VI (1964).	(NEW: IN PLACE)		

E. PROGRAM MODELS NCLB Title III Sections 3102, 3115; OCR Title VI; Lau v Nichols (1974); Castaneda v. Pickard (1981); RI Ch. 16-54, L4-10);

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1. The district has chosen one or more of the following models, or components from these models, as defined in these regulations in section L-4-2, to provide the most appropriate program for each English Language Learner (please indicate which are in place):			
● English as a Second Language			
● Sheltered Content Instruction			
● Collaborative ESL & General Education			
● Bilingual Education			
● Two-way/Dual Language			
● Newcomer Program			
F. PROGRAM STANDARDS NCLB Title III Sections 3102 & 3115; OCR Title VI; Lau v. Nichols (1974); Castaneda v. Pickard (1981); RI Ch. 16-54, L4-5			
1. District ELL programs meet the following standards: ● Meet the linguistic and academic needs of all district English Language Learners as indicated by the identification and assessment process.			
● Ensure that all English Language Learners attain proficiency in speaking, listening to, reading, and writing English at a level sufficient to enable them to succeed in the school's general academic program by using assessment and evaluation data to determine effectiveness of programs and improve services and activities.			
● Align with (1) Rhode Island's English-language proficiency standards (WIDA), (2) Rhode Island's GRADE LEVEL EXPECTATIONS and GRADE SPAN EXPECTATIONS, and (3) content area standards not addressed by Rhode Island GLEs and GSEs (National Education Technology Standards; Fine Arts Standards of the RI Arts Learning Network; National Standards for History Basic Edition; National Council for the Social Studies - NCSS Standards).			
● Provide clear pathways for each student to meet the Rhode Island Graduation-by -Proficiency Requirements.			
● Use research-based instructional practices recognized as sound by experts in the education of English Language Learners at the elementary, middle, and high-school levels.			
● Provide opportunities for achievement in all content-area classes or courses through specialized language instruction for English Language Learners until the student has reached a level of English-language proficiency permitting him or her to succeed in the school district's general academic program without such specialized language instruction.			
● Ensure equitable access to all services and materials that are provided to all other students.			
● Include sufficient personnel and resources to effectively implement the program.			
● Provide for the maintenance, analysis and use of data concerning student academic progress to help close all gaps in English Language Learner achievement levels.			
● Ensure that specialized language instruction for English Language Learners is provided by appropriately certified and endorsed teachers who are highly qualified and who are provided with regular, sustained, high-quality, job-embedded professional development.			
● Be designed by local school-district administrators in consultation with (1) certified or endorsed ESL teachers, (2) endorsed bilingual-education teachers, (3) parents of			

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English Language Learners, (4) ELL students, and (5) building administrators.			
<ul style="list-style-type: none"> ● Be distributed in the school district's facilities in such a way that English Language Learners are not inappropriately clustered away from students in the school's regular education programs or assigned to only a restricted range of schools, when other school-housing options are available to provide quality services based on students' educational needs and scientifically research based instructional models. Cooperative service agreements between districts shall not operate in a way that abridges this principle. 			

G. PROGRAM COMPONENTS RI Ch. 16-54, L4-7, L4-8, L4-15.

1. ENTERING AND BEGINNING-LEVEL ENGLISH LANGUAGE LEARNERS receive a minimum of 3 periods (or the equivalent) of ESL instruction a day. DEVELOPING ENGLISH LANGUAGE LEARNERS receive a minimum of 2 periods (or the equivalent) of ESL instruction a day. EXPANDING AND BRIDGING ENGLISH LANGUAGE LEARNERS receive a minimum of 1 period (or the equivalent) of ESL instruction a day.			
2. ELL instructional period has the same length as the school's general content-area periods.			
3. English Language Learners are eligible to participate without ESL support in any content area when there is documented evidence of student ability in English to be successful.			
4. Class size are kept at a student-to-teacher ratio that permits effective instruction as defined in the regulations in section L-4-5			

H. STAFF REQUIREMENTS RI Ch. 16-54, L4-2(11), L4-2(12), L4-11, L4-5(10), L4-2(8&10)

1. The district provides RIDE with the agency's policy to determine the number and types of personnel required for the effective instruction of ELLs, and a description of the public process the agency used to develop its policy. The district reports annually to RIDE the plan with the number of full-time equivalent positions of staff it uses to meet the needs of English language learners.			
2. ELL teachers hold (1) a Rhode Island certificate for the level and subject in which he or she teaches, and a Rhode Island endorsement as an ESL teacher or Bilingual teacher or Content Area teacher of ELLs or (2) the Rhode Island ESL certificate.			
3. ELL teaching assistants work under the supervision of an ELL teacher and an ELL Coordinator or Administrator, demonstrate proficiency in English on the state paraprofessional test as well as proficiency in at least one of the predominant languages of the district's ELL student population. (Demonstrated training in culturally responsive education practices may be substituted for proficiency in at least one of the predominant languages of the ELL student population.)			
4. The district designates an administrator to be responsible for the ELL program. Where an administrator in a low-incidence district who does not have an English as a Second Language teaching certificate or an English as a Second Language endorsement, the district appoints an ELL Coordinator with at least one of those credentials. Low-incidence districts that utilize an ELL Administrator on a less than full-time basis also appoint an ELL Coordinator.			
5. High-incidence school districts appoint a full-time ELL Administrator			

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whose primary responsibility is the development and management of the district's ELL program.			
6. For a district that is part of a Cooperative Service Agreement under R.I.G.L.16-3.1-1 to provide ELL services, the agreement is formulated with input from RIDE to ensure that ELLs receive quality services. The Commissioner shall determine through the Cooperative Service Agreement approval process whether the Agreement is so comprehensive that appointment of an ELL Administrator is required.			
7. A high-incidence ELL district has at least one School/Community Liaison to effectively support the district's ELL program. A low-incidence district ensures regular pertinent communication with their ELL families and encourages these families to participate in the district's family engagement activities.			

I. PROFESSIONAL DEVELOPMENT RI 16-54, L4-11d L4-12

1. The district provides on-going professional development for those teacher assistants who work with English Language Learners.			
2. The district provides sustained, high quality job-embedded professional development for administrators, coordinators, instructional coaches, school and community liaisons, guidance counselors, all teachers and other personnel who work with English Language Learners.			
3. The district offers the following topics, along with other topics the district deems to be appropriate, on a quarterly basis (indicate all chosen):			
• Research-based instructional methods and assessment practices for ELLs and ELLs with disabilities			
• Second-language acquisition			
• Culturally Responsive Education Practices.			
• Family and Community involvement strategies			
• Language minority issues in education			
• Other topic deemed appropriate by the district			
4. During their first year of employment, all district staff who work with English Language Learners are trained in ELL program requirements as well as in district practices and procedures for English Language Learners.			
5. ELL professional-development activities are included in the district's professional- development plan, in district and school improvement plans, and in teachers' I-Plans, and these activities are aligned with Rhode Island's Professional Development Standards.			

J. DISTRICT ELL PARENT ADVISORY RI 16-54, L4-24, L4-25, L4-26, L4-27

1. The school district has an appropriately constituted district-wide ELL Advisory Committee (whether stand-alone committee or a subcommittee of an existing District Parent Advisory Committee) consisting of parents and educators with active members and regularly scheduled meetings as defined in L4-24.			
2. The Committee advises the LEA and individual schools in matters concerning:			
• the ELL programs currently offered			
• unmet needs of ELL students			
• the development and implementation of future plans			
• local compliance with state and federal laws and			

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regulations, applications for state and federal funding; and evaluation of ELL programs.			
3. The school district provides information to the parents of ELL students about the advocacy roles of the District Liaison and the Advisory Committee when their children enter the school system.			
4. The school district provides assistance to the Advisory Committee as follows: <ul style="list-style-type: none"> Developing and approving the Advisory Committee's organizational structure and bylaws. 			
<ul style="list-style-type: none"> Developing procedures for the Advisory Committee to carry out its functions and responsibilities 			
<ul style="list-style-type: none"> Providing technical and consultative services 			
<ul style="list-style-type: none"> Making available appropriate records and data as permitted by law 			
<ul style="list-style-type: none"> Providing in-service training for membership of the Advisory Committee as specified in L4-26 of Chapter 16-54. 			
<ul style="list-style-type: none"> Notifying parents of the ELL Advisory Committee as specified in L4-26 of Chapter 16-54. 			
<ul style="list-style-type: none"> The Committee meets at least four (4) times annually and complies with all requirements of Chapter 16-54 as specified in L4-27. 			
K. PARENT INVOLVEMENT RI Ch. 16-54,L4-21, L4-22			
1. Each district involves parents of English Language Learners in the development, implementation, and evaluation of programs for these students.			
2. The school district, together with the liaison, shall develop a written parent-involvement plan that includes outreach to the ELL community. Parents shall be informed of the multiple ways that they can become involved in the education of their children, not only in ELL programs, but also in other school programs, services, and activities.			
3. The school district provides culturally and linguistically appropriate parent-education programs or parent outreach and training activities that are designed to assist all parents of ELL students to become active participants in the education of their children.			
4. The school district includes input from the parents of English Language Learners when it considers improvements not only in ELL programs but also when it considers improvements in other school programs in which English Language Learners may be involved.			
5. The school district presents the annual ELL action plan from the District Strategic Plan and the Federal Title III component of the Consolidated Resource Plan for parent review. Results of English Language Learner performance on state assessments and ELL graduation rates are provided annually to parents.			
6. The school district requires each one of its schools to have at least one parent representative of ELL students from each of the language groups with more than 20 students in that school to serve on School Improvement Teams (SIT). School Improvement Teams receive training and information on relevant ELL issues including, but not limited to, ELL state regulations and federal programs			
L. SCHOOL DISTRICT ACCOUNTABILITY NCLB-Title III Sec. 3122; RI Ch. 16-54,L4-29			
1. The local school district: <ul style="list-style-type: none"> Includes in its annual action plan for ELL services the expected outcomes, which are in accordance with the 			

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program outcomes for all students as reflected in the state standards <i>and identifying action steps to reach all AMAO targets.</i>				
<ul style="list-style-type: none"> Determines the process for program improvement, in accordance with closing the gaps for all students as required by R.I.G.L. 16-7.1-1 and by federal laws applicable to the education of ELL students 				
<ul style="list-style-type: none"> Provides RIDE with an annual evaluation report which includes recommendations for improvement should the school district not achieve the expected outcomes, <i>including AMAO targets.</i> 				
<ul style="list-style-type: none"> Ensures that all schools with an ELL population participate fully in the Rhode Island School Accountability for Learning and Teaching (SALT) Program. 				
<ul style="list-style-type: none"> Notifies parents of currently enrolled ELLs of failure to meet AMAOs within 30 days of such failure. 				
M. STUDENT RECORDS RI Ch. 16-54, L4-3, L4-4-L4-5, L4-6, L4-7, L4-8 L4-10, L4-14, L4-15, L4-16, L4-17, L4-19, L4-23				
1. Student files contain the following information:				
<ul style="list-style-type: none"> Home Language Survey 				
<ul style="list-style-type: none"> Parent interview date and participants 				
<ul style="list-style-type: none"> Date of initial assessment and levels 				
<ul style="list-style-type: none"> Scores of annual assessments 				
<ul style="list-style-type: none"> Program placement or waiver information 				
<ul style="list-style-type: none"> Date of exit if applicable 				
<ul style="list-style-type: none"> Former ELL/waiver student monitoring data 				
<ul style="list-style-type: none"> Written communication to parents 				
<ul style="list-style-type: none"> Personalized instruction plan, such as PLP, ILP, etc. if applicable 				

Signature of ELL Program Administrator

Date

Signature of Superintendent

Date